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**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

RUNAWAY RECORDS PRODUCTIONS, LLC, CIVIL ACTION

Plaintiff, No. 2:21-cv-752

v. Honorable W. Scott Hardy

FRANCISCAN UNIVERSITY OF  
STEUBENVILLE,

Defendant.

**CONSENT JOINT MOTION TO EXTEND DEADLINES OF  
CASE MANAGEMENT ORDER**

AND NOW comes Plaintiff Runaway Records Productions, LLC ("Runaway Records") and Defendant Franciscan University of Steubenville ("FUS") by and through their undersigned counsel, respectively move this Court for an Order extending certain deadlines of this Court's July 7, 2023 [ECF 42] Case Management Order as follows:

1. This Honorable Court entered a Case Management Order on July 7, 2023 [ECF 42].
2. The fact discovery period per the Case Management Order ends on December 28, 2023.
3. The parties completed a mediation on November 21, 2023, which was unsuccessful.
4. The parties engaged in an exchange of documents, written discovery, and depositions of Plaintiff and two Defense witnesses.
5. Despite the progress in discovery, the parties believe that additional depositions and written discovery may be necessary to prepare the case for trial.

20159097

6. No other previous extension(s) of discovery have been requested by either Party from the Court.
7. The parties request the following modifications to the Case Management Order:  
Change completion of fact discovery from December 27, 2023 to **February 26, 2024**; expert discovery from April 27, 2024 to **June 26, 2024**; plaintiff's expert(s) to disclose their reports from January 27, 2024 to **March 27, 2024**; plaintiff's expert(s) depositions to be completed from March 27, 2024 to **May 28, 2024**; defendant's expert(s) to disclose their reports from February 27, 2024 to **April 29, 2024**; defendant's expert(s) depositions to be completed from April 27, 2024 to **June 26, 2024**; and conducting the **Telephonic Post Fact Discovery Status Conference** from Wednesday, January 3, 2024, at 11:00 a.m. to **Monday, March 4, 2024**.
8. Both Parties concur and consent to the filing of this Motion.

WHEREFORE, Defendant Franciscan University of Steubenville and Plaintiff Runaway Records Productions, LLC, respectfully request that this Honorable Court enter the attached proposed Order of Court.

Respectfully submitted,

SPILMAN THOMAS & BATTLE, PLLC

By: /s/ Julian E. Neiser

Julian E. Neiser

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**Counsel for Defendant Franciscan  
University of Steubenville**

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**CERTIFICATE OF CONFERRAL AND/OR CONCURRENCE/NON-CONCURRENCE**

I, Julian E. Neiser, Esquire, counsel for Defendant Franciscan University of Steubenville in the above-captioned matter, attest that I have communicated and conferred with counsel for Plaintiff Runaway Records Productions, LLC, Matthew J. Scanlon, on November 29, 2023, via email, seeking concurrence on the foregoing Motion, and both Parties concur in the same pursuant to Local Rule 16.1.B5.

Respectfully submitted,

SPILMAN THOMAS & BATTLE, PLLC

By: /s/ Julian E. Neiser

Julian E. Neiser

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**Counsel for Defendant Franciscan  
University of Steubenville**

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**CERTIFICATE OF SERVICE**

I hereby certify that on this 29<sup>th</sup> day of November, 2023, a true and correct copy of the foregoing **Consent Joint Motion to Extend Deadlines of Case Management Order** was e-filed and served upon counsel of record via the Court's CM/ECF system.

Via email to [matt@swlegalteam.com](mailto:matt@swlegalteam.com)

Matthew J. Scanlon, Esquire  
Timothy Grant Wojton, Esquire  
Scanlon & Wojton, LLC  
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Pittsburgh, PA 15219

**Counsel for Plaintiff Runaway Records Productions, LLC**

SPILMAN THOMAS & BATTLE, PLLC

By: /s/ Julian E. Neiser

Julian E. Neiser